

NEW HAMPSHIRE SUPREME COURT

ORAL ARGUMENT

JANUARY 5 and 11, 2007

The cases listed are scheduled for argument on January 5 and January 11, 2007. Attorneys and parties are advised of the following:

1. The morning sessions will begin at 9:30 a.m. Persons presenting oral argument in the first and second cases of the morning session must check in with the receptionist by 9:00 a.m. **Persons presenting oral argument in the third and fourth cases of the morning session must check in at 10:00 a.m.** The afternoon sessions will begin at 1:00 p.m. Persons presenting oral argument in the first and second cases of the afternoon session must check in by 12:30 p.m. **Persons presenting oral argument in the third and fourth cases of the afternoon session must check in by 1:30 p.m.**

2. The order of the arguments is subject to change.

3. The amount of time allotted to each party is shown. The court intends to limit parties to the allotted time. If a party intends to divide the allotted time or intends to reserve a portion for rebuttal, the party should notify the courtroom monitor before the session. A maximum of two minutes may be reserved for rebuttal.

4. The justices will refrain from asking questions during the first three minutes of each person's argument; this period of non-questioning may be waived. Persons presenting oral argument should assume that the court is familiar with the facts.

5. The moving party is responsible for presenting and transmitting the portions of the record necessary to decide the questions of law presented by the case. See Rules 13 and 14.

N O T I C E

IT IS A CLASS B FELONY TO CARRY A FIREARM OR OTHER DEADLY WEAPON AS DEFINED IN RSA 625:11, V IN A COURTROOM OR AREA USED BY A COURT.
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ANY PERSON WHO REQUIRES AN AUXILIARY AID TO HEAR ORAL ARGUMENT SHOULD NOTIFY THE CLERK OF COURT AS FAR IN ADVANCE AS POSSIBLE SO THAT THE EQUIPMENT CAN BE AVAILABLE.

Friday, January 5, 2007, beginning at 9:30 a.m.:

Check-in 9:00 a.m.:

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|---------------------------|---|----|--|
| 1. 2006-0139 | In the Matter of Marcie Albert and Gossett W. McRae, Jr.
Kelley L/O (Christopher W. Kelley) for Marcie Albert (15 min.)
K&B (Shaunna L. Browne) for Gossett W. McRae, Jr. (15 min.) | | |
| 2. 2004-0886
2006-0111 | Malachy Glen Associates,
Inc.
Tarbell PA
(Friedrich K. Moeckel)
(15 min.) | v. | Town of Chichester

U&H
(Matthew R. Serge)
(15 min.) |

Check-in 10:00 a.m.:

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|--------------|--|----|--|
| 3. 2006-0020 | ATV Watch

Gordon L/O
(Joshua L. Gordon)
(15 min.) | v. | N.H. Department of Resources
and Economic Development
Attorney General
(Anne M. Edwards)
(15 min.) |
| 4. 2006-0236 | Joy A. Chase
Gregory M. Sorg
(15 min.) | v. | Ameriquest Mortgage Company
McNicholas L/O
(Patrick J. McNicholas)
(15 min.) |

Friday, January 5, 2007, beginning at 1:00 p.m.:

Check-in 12:30 p.m.:

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|--------------|---|----|---|
| 1. 2006-0317 | Clint J. St Onge
Myers L/O
(Andrew D. Myers)
(15 min.) | v. | David R. MacDonald
DE&J
(Scott A. Ewing)
(15 min.) |
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HICKS, J., DISQUALIFIED

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|--------------|--|----|---|
| 2. 2006-0348 | State of New Hampshire
Attorney General
(Nicholas Cort)
(15 min.) | v. | William Looney
M&B
(James H. Moir)
(15 min.) |
|--------------|--|----|---|

DUGGAN, J., DISQUALIFIED

Check-in 1:30 p.m.:

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|--------------|---|----|---|
| 3. 2004-0559 | John Shearing

O&R
(Martha Van Oot)
(15 min.) | v. | Hale's Location Owners'
Association & a.
DM&B for Hale's Location
Owners' Association
(Richard E. Mills)
NM&F for Robert H. Carlton
(Thomas W. Aylesworth)
(15 min. total) |
|--------------|---|----|---|

GALWAY AND HICKS, JJ., DISQUALIFIED

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|--------------|--|----|---|
| 4. 2006-0143 | Residents Defending Their
Homes, & a.
MGR&M
(Bruce W. Felmlly)
(15 min.) | v. | Lone Pine Hunters' Club, Inc. &
a.
BO&G for Lone Pine Hunters'
Club, Inc.
(Bryan K. Gould)
(15 min.)
<i>Amicus Curiae:</i>
State of New Hampshire
Attorney General
(Andrew B. Livernois) |
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GALWAY AND HICKS, JJ., DISQUALIFIED

Thursday, January 11, 2007, beginning at 9:30 a.m.:

Check-in 9:00 a.m.:

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|--------------|---|----|--------------------------|
| 1. 2006-0070 | Petition of Chase Home for Children & a. | | |
| 2006-0219 | (Department of Health and Human Services) | | |
| | O&R (Lisa Snow Wade) for Chase Home for Children & a. (15 min.) | | |
| | Attorney General (Suzan M. Lehmann) (15 min.) | | |
| 2. 2006-0036 | State of New Hampshire | v. | Adam R. Lavoie |
| | Attorney General | | Appellate Defender |
| | (Susan G. Morrell) | | (Christopher M. Johnson) |
| | (15 min.) | | (15 min.) |

Check-in 10:00 a.m.:

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|--------------|--|----|--|
| 3. 2006-0269 | Donald P. Conway
SPB&G
(Edward A. Haffer)
(15 min.) | v. | Oliver Burton Westcoat
CW&B
(William B. Pribis)
(15 min.) |
| 4. 2005-0884 | Renee Fisher
F&E
(Lawrence S. Forsley)
(5 min.) | v. | Madaline Minichiello
Patrick M. Carron
(5 min.) |

Thursday, January 11, 2007, beginning at 1:00 p.m.:

Check-in 12:30 p.m.:

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|--------------|--|----|---|
| 1. 2006-0115 | State of New Hampshire
Attorney General
(Nicholas Cort)
(15 min.) | v. | Jonathan Steimel
WD&B
(Eric R. Wilson)
(15 min.) |
| 2. 2006-0355 | MMG Insurance Company
DM&B
(Melinda S. Gehris)
(15 min.) | v. | Robert LaPorte & a.
CW&B for Christine Coletti
(Mark D. Wiseman)
(15 min.) |

Check-in 1:30 p.m.:

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|--------------|---|----|---|
| 3. 2006-0177 | Beth Cecere & a.
W&N
(Peter E. Hutchins)
(15 min.) | v. | Loon Mountain Recreation & a.
DM&B
(Thomas Quarles, Jr.)
(15 min.) |
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HICKS, J., DISQUALIFIED

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|--------------|---|----|--|
| 4. 2005-0332 | State of New Hampshire
Attorney General
(John M. Gasaway, Jr.)
(15 min.) | v. | Douglas Giddens
Appellate Defender
(David M. Rothstein)
(15 min.) |
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HICKS, J., DISQUALIFIED

Cases to be submitted on briefs without oral argument:

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|--------------|---|--|
| 1. 2005-0751 | Terry T. Thomas
Terry T. Thomas
<i>Pro se</i> | v. Telegraph Publishing Co. & a.
v. Joshua Trudell
G&G for Telegraph Publishing,
Terrence Williams & Joshua
Trudell
(Richard C. Gagliuso)
DM&B for Town of Hudson &
Officer Michael Gosselin
(Brian J.S. Cullen)
NKM&S for Edith Flynn
(Christopher D. Hawkins)
GSS&S for Roland Anderson,
Albert Droney & Gene Bousquet
(John A. Curran) |
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GALWAY AND HICKS, JJ, DISQUALIFIED

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|--------------|---|--|
| 2. 2005-0815 | Robyn Landry
Moore L/O
Sharon M. Ryan | v. Daniel Landry & a.
<i>Pro se</i> |
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HICKS, J., DISQUALIFIED

November 29, 2006

Attest: _____
Eileen Fox, Clerk